

4868. Misbranding of "Barlow's Tablets, a Ready Cure." U. S. * * * v. Edwin B. Barlow, trading as E. B. Barlow & Co. Plea of guilty. Fine, \$25. (F. & D. No. 6649. I. S. No. 9547-h.)

On December 15, 1915, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edwin B. Barlow, trading as E. B. Barlow & Co., Binghamton, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about December 24, 1913, from the State of New York into the State of Pennsylvania, of a quantity of an article, labeled in part, "Barlow's Tablets, a Ready Cure," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Ash (per cent)-----	8.1
Acetanilid (per cent)-----	5.2
Quinine sulphate (per cent)-----	2.4
Sucrose (Clerget) (per cent)-----	73.9
Acid-insoluble ash (talc) (per cent)-----	5.0
Acetanilid (gram per tablet)-----	0.024
Quinine sulphate (gram per tablet)-----	0.011
Phenolphthalein (per cent)-----	2.3
Phenolphthalein (gram per tablet)-----	0.011

Misbranding of the article was alleged in substance in the information for the reason that certain statements appearing on its label falsely and fraudulently represented it as a cure for general derangements of the system caused by sudden colds and chills attended by fever, headache, dyspepsia, colds and fever, fever and neuralgia, coughs, all affections of the throat, sun cholera, and all affections of the liver, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the statement in prominent type, to wit, "Barlow's Tablets Laxative Phospho Quinine," borne on the large box containing the small boxes aforesaid, and the statement in prominent type, to wit, "Barlow's Cold and Fever Tablets Laxative Phospho Quinine," borne on the small boxes containing the tablets, were false and misleading, in that they represented that a phosphate and quinine were the principal active medicinal ingredients of the tablets, whereas, in truth and in fact, a phosphate and quinine were not the principal active medicinal ingredients of said tablets, but the principal active medicinal ingredient of said tablets was, to wit, acetanilid, said tablets containing more than 5 per cent of acetanilid, whereas they contained only a trace of phosphate and less than 2½ per cent of quinine sulphate.

On December 16, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*